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Attorneys for Plaintiff  
DAVID KAYNE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

DAVID KAYNE, an individual citizen of  
Georgia,

Plaintiff,

v.

THE THOMAS KINKADE COMPANY,  
formerly known as MEDIA ARTS  
GROUP, INC., a Delaware Corporation,

Defendant.

CASE NO. C 07-4721 (SI)

**STIPULATED REQUEST TO TAKE  
CASE MANAGEMENT CONFERENCE  
OFF CALENDAR**

STIPULATION

(No. 07-4721 (SI))

STIPULATION

Plaintiff David Kayne ("Kayne") and Defendant The Thomas Kinkade Company ("TKC") hereby stipulate and submit the following joint request:

WHEREAS, on December 5, 2007 the Court dismissed Kayne's first amended complaint with prejudice;


WHEREAS, the case management conference (the "Case Management Conference") in this matter has not been taken off calendar and is currently scheduled for hearing on December 18, 2007;

WHEREAS, Given the Court's ruling, Kayne and TKC desire to stipulate to take the December 18, 2007 Case Management Conference off calendar.

NOW THEREFORE, Kayne and TKC by and through their counsel jointly request that the Court take the December 18, 2007 Case Management Conference off calendar.

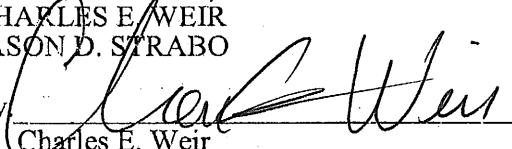
Dated: December 10, 2007

HOLLAND & KNIGHT LLP  
CHARLES L. COLEMAN, III  
ANDREW T. CALLEFIELD

By:   
Charles L. Coleman, III  
Attorneys for Plaintiff  
DAVID KAYNE

Dated: December 11, 2007

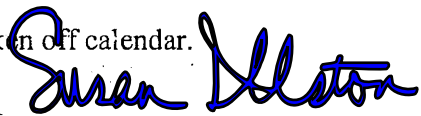
McDERMOTT WILL & EMERY LLP  
DANA N. LEVITT, PC  
CHARLES E. WEIR  
JASON D. STRABO

By:   
Charles E. Weir  
Attorneys for Defendant  
THE THOMAS KINKADE COMPANY

IT IS SO ORDERED.

The Case Management Conference is hereby taken off calendar.

Dated: \_\_\_\_\_

  
Hon. Susan Illston  
United States District Judge

STIPULATION  
LAS99 1530821-1.074203.0021

The initial case management conference shall be continued to Friday, March 21, 2008, at 2:00 p.m.. The joint statement shall be filed one week prior to the conference.